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7 IN THE UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 UNITED STATES OF AMERICA, )  
11 )  
12 Plaintiff, ) NO. CR18-5456 RJB  
13 vs. ) ORDER GRANTING MOTION TO  
14 BRANDON SEWARD, ) CONTINUE PRE-TRIAL MOTIONS  
15 ) & TRIAL DATE  
16 Defendant. )  
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16 THE COURT has considered the defendant's unopposed motion to continue the trial date and  
17 pretrial motions deadline and the facts and circumstances described therein (Dkt. 28), which are hereby  
18 incorporated as findings of fact, and finds that:

20 (a) taking into account the exercise of due diligence, a failure to grant a continuance in this case  
21 would deny counsel for the defendant the reasonable time necessary for effective preparation due to  
22 counsel's need for more time to review the evidence, consider possible defenses, and gather evidence  
23 material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

24 (b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of  
25 justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and  
26

ORDER GRANTING MOTION TO  
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DATE

1 (c) the additional time requested is a reasonable period of delay, as the defendant has requested  
2 more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to  
3 consider possible defenses; and  
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5 (d) the case is sufficiently complex that it is unreasonable to expect adequate preparation for  
6 pretrial proceedings or the trial itself within the current trial schedule, as set forth in 18 U.S.C. §  
7 3161(h)(7)(B)(ii); and

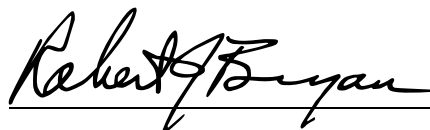
8 (e) the ends of justice will best be served by a continuance, and the ends of justice outweigh the  
9 best interests of the public and the defendant in any speedier trial, as set forth in 18 U.S.C. §  
10 3161(h)(7)(A); and  
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12 (f) the additional time requested between the current trial date of November 19, 2018, and the  
13 new trial date is necessary to provide counsel for the defendant the reasonable time necessary to prepare  
14 for trial, all of the facts set forth above; and

15 (g) that the period of delay from the date of this motion to the new trial date is excludable time  
16 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).  
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18 IT IS THEREFORE ORDERED that the trial date in this matter shall be continued to March 25,  
19 2019, and that pretrial motions shall be filed no later than February 13, 2019. The pretrial conference  
20 shall be held March 15, 2019, at 8:30 a.m.  
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22 DONE this 3<sup>rd</sup> day of January, 2019.  
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25 ROBERT J. BRYAN  
26 United States District Judge

1 Presented by:  
2 /s/ Bryan G. Hershman  
3 BRYAN G. HERSHMAN, WSB #14380  
4 Attorney for Defendant SEWARD  
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6 ANDRE M. PENALVER  
7 Assistant United States Attorney  
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